




# City of Seattle

Edward B. Murray, Mayor

## Finance and Administrative Services

Fred Podesta, Director

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| Applicant:<br><br>City of Seattle<br><br>Department of Finance and Administrative Services  | Page:<br><br>1 of 6   | Supersedes:<br><br>New      |
|   | Publication:<br><br>9/15/2014   | Effective:<br><br>10/6/2014 |
| Director's Rule:<br><br>R-6.310.270.F, 270.N, 270.O; R-6.310.530.A.3; R-6.310.530.B.1; R-6.310.530.C.1<br>Application Dispatch Systems. | Code and Section Reference:<br><br>SMC 6.310.270.F, 270.N, 270.O;<br>6.310.530.A.3; 6.310.530.B.1;<br>6.310.530.C.1 |                             |
|   | Type of Rule:<br><br>Code Interpretation  |                             |
|   | Ordinance Authority:<br><br>SMC 3.02.060  |                             |
| Approved:<br><br><br>Fred Podesta, Director          | 10/6/2014<br>Date   |                             |

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## **City of Seattle Taxicab and For-Hire Vehicle Rules**

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### **Rule R-6.310.270.F, 270.N, 270.O; R-6.310.530.A.3; R-6.310.530.B.1; R-6.310.530.C.1 Application Dispatch Systems.**

Seattle Municipal Code Section 6.310.270 reads as follows:

#### **6.310.270 Transportation network company (TNC) operating responsibilities**

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F. Requires that passengers be able to view a picture of the driver and vehicle license plate number on their smart phone, tablet or other mobile device used to connect with the TNC dispatch application before the trip is initiated. (Class B);

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N. Employ a zero tolerance drug and alcohol policy with respect to TNC drivers as follows:

1. The TNC shall include a notice on its website, dispatch system application, and passenger trip confirmations of its zero-tolerance policy and the methods to report a driver the passenger reasonably suspects was under the influence of drugs or alcohol during the trip;
2. The website and application dispatch system must include a phone number, website link, and email to report a zero-tolerance complaint, as well as the phone number and email to report a zero-tolerance complaint to the Department of Finance and Administrative Services, Consumer Protection Unit, (Class B);

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O. Allow passengers to indicate whether they require a wheelchair-accessible vehicle and connect passengers to those services via a weblink, application, or phone number.

Seattle Municipal Code Section 6.310.530 reads as follows:

#### **6.310.530 Rates**

##### **A. Taxicab rates**

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3. Application Dispatch, Special Rates, Contract Rates, "Downtown to Airport" Flat Rate, and Coupons.

- a. If using an application dispatch system, written documentation explaining and/or a physical demonstration on an application showing that the rate structure is transparent to the rider prior to confirming the ride shall be provided to the

Director. Rates do not need to be filed with the Director. The Director shall determine that the rate structure is transparent if:

- i. The total fare or fare range is clearly displayed on the application upon requesting a ride, but before confirming the ride. Any variables that may result in additional or higher charges such as tips, waiting time, demand pricing, or any other surcharges shall be clearly articulated on the application before confirming a ride.
- ii. The rate by distance and/or time is clearly displayed on the application upon requesting a ride but before confirming the ride. Any variables that may result in additional or higher charges such as tips, waiting time, demand pricing, or any other surcharges shall be clearly articulated on the application before confirming a ride.
- iii. The cost of the ride is made clear to the passenger prior to confirming the ride through an alternative method deemed acceptable by the Director.

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#### B. For-hire vehicle rates

1. If using an application dispatch system, written documentation explaining and/or a physical demonstration on an application showing that the rate structure is transparent to the rider prior to confirming the ride shall be provided to the Director. Rates do not need to be filed with the Director. The Director shall determine that the rate structure is transparent if:

- a. The total fare or fare range is clearly displayed on the application upon requesting a ride, but before confirming the ride. Any variables that may result in additional or higher charges such as tips, waiting time, demand pricing, or any other surcharges shall be clearly articulated on the application before confirming a ride.
- b. The rate by distance and/or time is clearly displayed on the application upon requesting a ride but before confirming the ride. Any variables that may result in additional or higher charges such as tips, waiting time, demand pricing, or any other surcharges shall be clearly articulated on the application before confirming a ride.
- c. The cost of the ride is made clear to the passenger prior to confirming the ride through an alternative method deemed acceptable by the Director.

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#### C. Transportation network company rates

1. Written documentation explaining or demonstrating that the application dispatch rate structure is transparent to the rider prior to confirming the ride shall be provided to the Director. The Director shall determine that the rate structure is transparent if:

- a. The total fare or fare range is clearly displayed on the application upon requesting a ride, but before confirming the ride. Any variables that may result in additional or higher charges such as tips, waiting time, demand

pricing, or any other surcharges shall be clearly articulated on the application before confirming a ride.

b. The rate by distance and/or time is clearly displayed on the application upon requesting a ride but before confirming the ride. Any variables that may result in additional or higher charges such as tips, waiting time, demand pricing, or any other surcharges shall be clearly articulated on the application before confirming a ride.

c. The cost of the ride is made clear to the passenger prior to confirming the ride through an alternative method deemed acceptable by the Director.

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The following rule provides guidance for implementing this provision as authorized by the Seattle Municipal Code.

**Operating responsibilities.** To comply with 6.310.270.F, 270.N, and 270.O, the following functions must be available to the passenger:

- a picture of the confirmed driver and license plate number of confirmed vehicle viewable before initiation of trip;
- notice of the company's zero-tolerance drug and alcohol policy;
- information on methods to report a driver suspected of being in violation of the zero tolerance policy;
- the company's phone number or link to the number, website link, and email to report a zero-tolerance complaint;
- the phone number, website link, and email to report a zero-tolerance complaint to the Department of Finance and Administrative Services, Consumer Protection Unit;
- allowing passenger to indicate whether they require a wheelchair accessible vehicle; and
- connection of the customer to a wheelchair-accessible vehicle via weblink, application, or phone number.

**Written Documentation.** Written documentation shall include the name of the application dispatch system (ADS), all mobile operating systems that the ADS is supported on, the minimum version number of the supported mobile operating systems, and the version number of the ADS. Documentation of rate transparency shall include narrative descriptions and screen shots of the complete process of requesting and confirming a ride including screen shots of all variables affecting the rate structure. Transparency of rate structure, variables affecting the rate structure, and operating responsibilities shall be clearly demonstrated. If the ADS is available on more than one operating system, separate written documentation shall be required for each operating system.

**Physical Demonstration.** A physical demonstration of the ADS will be used to evaluate rate transparency. Compliance will be assessed based on the transparency of rate structure, disclosure of variables affecting the rate structure and compliance with the operating responsibilities of SMC 6.310. Demonstration should be available for all mobile

operating systems that the ADS is supported on. The demonstration shall include the opportunity for the Investigator to perform the process of requesting through confirming a ride in real-time with no monetary charge to the City of Seattle.

**ADS Inspections.** The City of Seattle reserves the right to perform inspection of the ADS across all mobile operating systems upon which the ADS is supported to ensure compliance with SMC 6.310.

**Frequency of Certification.** All application dispatch systems will be initially approved with written documentation and physical demonstration. Annually, upon renewal of the license, written documentation must be provided for the current version of the ADS across all mobile operating systems if that version is a different version number than the previously approved ADS. A physical demonstration may be requested upon renewal for any reason.

**Transparency of Rate Structure.** As detailed in 6.310.530.A.3.a, 6.310.530.B.1, and 6.310.530.C.1, one of the following must be disclosed:

- total fare upon requesting a ride, but before confirming a ride;
- fare range upon requesting a ride, but before confirming a ride;
- rate by distance, and/or time upon requesting a ride but before confirming a ride; or
- the cost of the ride must be clearly displayed before confirming the ride.

Any variables that may result in additional or higher charges shall be clearly articulated on the application before confirming a ride.

**Variables affecting rate structure.** Any variable that may result in additional or higher charges shall be clearly articulated on the application before confirming the ride. Examples of variables include but are not limited to:

- tips
- waiting time
- demand pricing
- taxes
- fees
- donations
- surcharges

**Confirmation of the ride.** A ride is considered confirmed when a driver is assigned to pick up the passenger.

**Compatibility.** The City requires compliance with rate transparency and operating responsibility requirements across all mobile operating systems that are supported per the ADS written documentation. The requirements of this section do not apply to unsupported mobile operating systems or mobile operating system versions that are no longer supported by the current version of the ADS.

**Use of unapproved ADS.** If it is determined that an ADS is not in compliance with SMC 6.310, the company using the ADS will be sent a warning at the address of record. Upon license approval or renewal, the company will be required to perform a physical demonstration of the ADS to ensure compliance with SMC 6.310. A license shall not be renewed if the ADS is not approved.



## City of Seattle

Edward B. Murray, Mayor

### Finance and Administrative Services

Fred Podesta, Director

October 1, 2014

#### **Memo**

To: Fred Podesta, Director

From: Kara Main-Hester

Re: Comments on Director's Rule on Administrative Dispatch Systems

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The following are comments and questions from the public hearing on the Director's Rule on Application Dispatch Systems.

*Comment:* 6.310.270.N. 2. On the app, Sidecar has a built in in-app phone ability to call Support to report a Zero Tolerance complaint, so requiring a telephone listing is redundant. We also have a [support@side.cr](mailto:support@side.cr) email and [policy@side.cr](mailto:policy@side.cr) email to report zero tolerance complaints which is prioritized for rapid reply by our Support team. A website link at our "Rules of the Road" page is also provided, but we don't think an in-app link to the website link is necessary given the in-app ability to call support or send email.

<http://www.side.cr/rules-road>

We have the phone number and email for DFAS Consumer protection on the website. We will try and squeeze that info on to the app but it is a long string of info for the small smartphone screen. It may be best to have one method, either phone or email, but not both.

*Response:* A phone call feature within the ADS will meet the requirement for a company phone number (rule amended). The ordinance requires a weblink, email, and phone number along with the contact information of for the Consumer Protection Unit. This cannot be modified in the rule-making process.

*Comment:* 6.310.270.O. We are going to have the rider indicate his or her wheelchair need by indicating he/she needs a wheelchair on his/her profile, which will then show a wheelchair icon. Only wheelchair accessible vehicles will reply to a ride request by someone who indicates they need a wheelchair accessible vehicle. On our website, we have information for each city how to access a wheel chair accessible vehicle via the local organization. We list phone, email and/or weblink. <http://www.side.cr/rules-road>

*Response:* The rule does not specify if the wheelchair-accessible vehicle request must occur during the ride request or the sign-up process. Making that request during the sign-up process would be compliant with the rule and ordinance as written.

*Comment:* 6.310.530 Rates Re C. 1. TNC rates

Is the list (a), (b), (c) such that each one must be met or only one? If only one, maybe put an 'or' after (b) and before (c).

*Response:* We received clarity on this that there should be an 'or' between (a), (b) and (c). This cannot be added as part of the rulemaking process; the Code must be revised first.

*Comment:* If customer does not enter their address, there is no way to provide a rate quote. Would we be compliant under 6.310.530?

*Response:* The rate would be considered transparent since the ADS provided the customer with the opportunity to receive a rate quote.

*Comment:* 6.310.530.C.1 States that the ADS can be approved via written documentation or demonstration. Should it be written documentation and demonstration?

*Response:* Because it is difficult to ascertain an ADS' function with only written documentation or demonstration, the rule requires both written documentation and demonstration for the initial approval and only written document on new versions annually thereafter.

*Comment:* What is the process for getting an application certified?

*Response:* Applicants will contact the Consumer Affairs Inspector in charge of ADS inspection. Inspections should be complete by November 3, 2014, for current taxi associations, for-hire vehicle companies and TNCs.